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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/386,000	08/30/1999	KENICHI MIYAZAKI	Q55595	9906

7590 06/13/2006
SUGHRUE MION ZINN MACPEAK & SEAS
2100 PENNSYLVANIA AVENUE NW
WASHINGTON, DC 200373202

EXAMINER

MACKEY, PATRICK HEWEY

ART UNIT	PAPER NUMBER
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3651

DATE MAILED: 06/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Application/Control Number: 09/386,000
Art Unit: 3651

JUN 06 2006

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TECHNOLOGY CENTER 3800
SUPPLEMENTAL EXAMINER'S ANSWER

1. Responsive to the remand under 37 CFR 41.50(a) for reasons other than for further consideration of a rejection on March 15, a supplemental Examiner's Answer is set forth below:

a. The application was remanded to the examiner for a full and complete response on the record to the many arguments and issues raised by appellant in the reply brief. Upon reconsideration of the reply brief filed October 11, 2005, the reply brief should not have been acknowledged and considered by the examiner on November 4, 2005. As correctly pointed out by the BPAI remand (page 3), the reply brief filed on October 11, 2005 is not in compliance with 37 CFC 41.41(a) because it includes new evidence in the form of the User Manuel for the OCE 9400 Printer/copier attached to the reply brief. Appellant has specifically relied upon this evidence in arguments presented in the reply brief (pages 30-35). 37 CFR 41.41(a)(2) states that "[a] reply brief shall not include any new or non-admitted amendment, or any new or non-admitted affidavit or other evidence." Per 41.41(b), a reply brief that is not in compliance with paragraph (a) of this section will not be considered.

b. Appellant is hereby notified that the paper mailed November 4, 2005 has been vacated. The reply brief filed October 11, 2005 has not been considered by the examiner.

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2. Appellant may file another reply brief in compliance with 37 CFR 41.41 within two months of the date of mailing of this supplemental examiner's answer. Extensions of time under 37 CFR 1.136(a) are not applicable to this two month time period. See 37 CFR 41.43(b)-(c).

A Technology Center Director or designee has approved this supplemental examiner's answer by signing below:

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Patrick H. Mackey whose telephone number is (571) 272-6916. The examiner can normally be reached on Tuesday-Friday 7:00 a.m. - 5:30 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gene Crawford can be reached on (571) 272-6911. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Patrick H. Mackey
Primary Examiner
Art Unit 3651

June 1, 2006

APPROVED
JOHN J. LOVE
DIRECTOR TC 3800

